

REMARKS

Applicants thank Examiner Covington for a telephonic interview on July 14, 2009, in which he agreed with applicants' assessment that claims 12-15 should be included in the double patenting rejection rather than claims 13-16, and that claim 29 should also be included in the rejection. The revised summary of the status of the claims is summarized below.

Claims

Claims 2-9, 17, 21 and 38 are allowed. Claims 1, 10-15, 29 and 36 are rejected. Claims 1-17, 21, 36 and 38 are pending.

Non-statutory double patenting rejection of claims 1, 10, 11, 12-15, 29 and 36 over claims 17-27 and 39-41 of prior U.S. Patent No. 7,244,761, Kimura *et al.* in view of Abraham, Dyes and their Intermediates (1969), p. 8


This double patenting rejection is the sole remaining rejection of the present claims. The attached Terminal Disclaimer obviates the rejection. Applicants request that the rejection be withdrawn.

Applicants believe that the claims are in condition for allowance, which action is respectfully requested.

Should any additional fee be deemed due, please charge such fee to our Deposit Account No. 22-0261, reference our docket number 31671-205693, and notify the undersigned accordingly.

Respectfully submitted,

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